

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

JOHN EDWARD WINKELMAN,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security

Defendant.

Civil No. 3:10-CV-01015-HZ

ORDER FOR EAJA FEES

Based upon the Stipulation of the parties, the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, it is hereby ORDERED that EAJA attorney's fees of \$5,000.00 shall be awarded to Plaintiff pursuant to *Astrue v. Ratliff*, \_\_\_ U.S. \_\_\_, 130 S.Ct. 2521 (2010). If it is determined Plaintiff's EAJA fees are not subject to any offset allowed under the Department of the Treasury's Offset Program, then the check for EAJA fees shall be made payable to attorney David Hittle, based upon Plaintiff's assignment of these amounts to Plaintiff's attorney. Any check for EAJA fees shall be mailed to Petitioner's counsel, David Hittle, at 388 State Street, Suite 1000, Salem, Oregon 97301.

DATED this 3rd day of June, 2011.

/s/ Marco A. Hernandez  
UNITED STATES DISTRICT JUDGE

Presented by:

s/ Richard M. Rodriguez

RICHARD M. RODRIGUEZ

Special Assistant United States Attorney

Office of the General Counsel

Social Security Administration

of Attorneys for Defendant

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